

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WISCONSIN

UNITED STATES OF AMERICA,

Plaintiff,

v.

Case No. 16-CR-21

SAMY MOHAMMED HAMZEH,

Defendant.

United States' Brief Regarding the Defendant's Out of Court Statements with the CHSs

The United States of America, by its attorneys, Matthew D. Krueger, United States Attorney for the Eastern District of Wisconsin, and Adam Ptashkin and Benjamin Taibleson, Assistant United States Attorneys, hereby files this Brief Regarding the Defendant's Out of Court Statements with the CHSs.

In the Order Ruling on Defendant's Sixth Motion in Limine: Post Arrest Statements, the Court states,

The government responded that given the court's exclusion of many of its proposed excerpts of the recorded conversations among Steve, Mike and the defendant, it now objected to the admission of any of the defendant's post-arrest statements presented if offered by the defense. Dkt. No. 355 at 2.

Dkt. No. 360 at 1.

The United States files this Memorandum to briefly clarify that in Dkt. No. 355, filed on October 18, 2019, in addition to objecting to the post-arrest statements of the defendant when offered into evidence by the defendant, it was the United States' intent to also object to approximately 90 portions of the defendant's out of court statements from the recorded

conversations with the CHSs that the defendant noticed it wanted to introduce into evidence. The United States had not objected to these approximately 90 portions prior to the issuance of the Court's October 16, 2019 Order (Dkt. No 342). Given the Court has not yet ruled on the admissibility of these 90 portions of the pre-arrest, recorded conversations with the CHSs that the defendant seeks to introduce into evidence, the United States wants to clarify this objection. The United States apologizes for the lack of clarity in its Response to the Defendant's Omnibus Memorandum Re: Statements. The United States objects to the admission of all of the defendant's and the CHSs' statements in the pre-arrest, recorded conversations when offered into evidence by the defendant.

Dated at Milwaukee, Wisconsin this 21st day of October, 2019.

Respectfully submitted,
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